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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

YASUKAZU NISHI :

EXAMINER: SHARON, A. I.

SERIAL NO: 09/856,179 :

FILED: AUGUST 6, 2001 :

GROUP ART UNIT: 2123

FOR: CALCULATION METHOD FOR
PHYSICAL BODY DEFORMATION
UNDER LOAD PROPAGATION

DECLARATION UNDER 37 C.F.R §1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

I, Yasukazu NISHI, hereby declare:

1. I am the named inventor in the above-identified patent application.
2. I have reviewed (i) the article "Structural Analysis based on Multiple Agents," by Y. Nishi and M. Murata, (herein "Nishi"), and (ii) the Office Action dated May 18, 2005, that uses the Nishi article to reject the claims under 35 U.S.C. § 102(b).¹
3. I state that Mr. M. Murata, which is listed as an author of the Nishi article, is only a co-author of that article who only contributed to writing the article.
4. I further state that Mr. M. Murata did not invent any part of the subject matter disclosed either in the article of Nishi, or in the present patent application, and therefore the inventor of this application is only Yasukazu NISHI.

¹ The outstanding Office Action rejects in error Claims 1-4 under 35 USC § 102(b) as discussed in the Amendment. The outstanding rejection should be under 35 USC § 102(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

15/08/2005
Date

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